

Docket No.: HCI-10002/38
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
James D. Hooberman

Application No.: 09/780,177

Confirmation No.: 8403

Filed: February 9, 2001

Art Unit: 2623

For: VIRTUAL SOUND SYSTEM

Examiner: Joseph G. Ustaris

STATEMENT OF THE SUBSTANCE OF INTERVIEW

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A telephonic interview occurred on 11 January 2008 between Examiner Ustaris and Applicant's representative, Avery N. Goldstein. No exhibits were provided. Claim 1 was discussed in the context of modifying claim 1 as provided in the attached amendment to include dynamic patterns and colors changes in synchronicity with sleep inducing sounds. Applicant's representative noted that such visual patterning as associated with music achieves a simulative effect contrary to the prior art of record and is not conducive of somnolence and as such should be entitled to patentable weight. No agreement was reached in the course of the interview.

Entry of this Statement of the Substance of Interview is requested as the Statement is in compliance with 37 CFR 1.133.

Dated: 11 February 2008

Respectfully submitted,

By: /Avery N. Goldstein, Ph.D./

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